

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA
§ 45.1-361.26

BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: An Order for Disbursement of Escrowed Funds
(and Authorization for Direct Payment of Royalties)

JURISDICTION: *Code of Virginia* § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: EE-38
TRACT(S): 2A, 2N and 2O
LOCATION: Tazewell County, Virginia

TAX ID NUMBER: Tax Map Numbers Found on Exhibit Entitled Tract Identification

DOCKET NUMBER: VGOB-02-0521-1029-03

APPLICANTS: CNX Production Company on behalf of Carol Asher, Charles Boyd, Linda Cordill Dunbar, Freda Thomas, James Boyd, Robert Cordill, Coal Mountain Mining Co., LLP and Sylvia A Shelton Byrd.

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
June 14, 2011

APPEARANCES: Mark Swartz on behalf of CNX

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 07/14/02, Recorded 07/15/02, Deed Book 0853
2. Supplemental Order Executed 08/28/02, Recorded 02/25/03, Deed Book 0871
3. Re-pooling Order Executed 09/21/04, Recorded 09/23/04, Deed Book 922
4. Supplemental Order -01 Executed 01/15/08, Recorded 01/23/08, Deed Book 1020
5. Disbursement -02 pending will be paid prior to this order

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the August 16, 2011 hearing and consider whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tracts 2A, 2N and 2O identified in the attached miscellaneous petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tracts 2A, 2N and 2O relative to the interests of the Applicants identified in the attached miscellaneous petition.
- (3) Continue the escrow account under this docket number.

FINDINGS: *Code of Virginia* § 45.1-361.22

Applicant has certified and represented to the Board that:

1. The owner of the coal estate for Tracts 2A, 2N and 2O is Coal Mountain Mining for the subject drilling unit.
2. The owner of the gas estate for Tract 2A, 2N and 2O is Walter & Mabel Boyd, Carol Absher, Linda Dunbar, James Boyd, Sylvia Shelton Boyd, Robert Cordill for the subject drilling unit.
3. A portion of this disbursement is required based on court order: Carol Jean Asher, Charles Walter Boyd, Linda D. Cordill Dunbar, Freda Gail Thomas, James Lee Boyd and Robert E Cordill are entitled to 100% of the royalties according to the Order which was entered on June 15, 2011, Case No. CL11-510 adjudicating the ownership of coalbed methane gas. The order allows for the payment of royalties to aforesaid owners at 100% and the Designated Operator to pay future royalties directly to the prevailing plaintiffs as shown on Table 1 for Tracts 2A and 2O. For Tract 2N Coal Mountain Mining Co., LLP, coal owner and Sylvia Shelton Byrd, oil and gas owner have entered into a royalty split agreement.

RELIEF GRANTED:

VGOB Approved Disbursement
Unit EV-38
VGOB-02-0521-1029-03

Table 1
Tracts 2A, 2N, and 2O

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed
		Total acreage in escrow before disbursement				51.3319	
	2A	Tract 2A (total acreage)	4.40				
	2A	Walter H. Boyd, et al. - O & G					
1		Carol Jean Asher (court order adjudicating 100% ownership of CBM) P.O. Box 907, Raven, VA 24619	1/5	0.8800	100.0%	0.8800	1.65409%
2		Linda D. Cordill Dunbar (court order adjudicating 100% ownership of CBM) 1650 Stamford Road, Berkeley, WV 24801	1/5	0.8800	100.0%	0.8800	1.65409%
3		Freda Gail Thomas (court order adjudicating 100% ownership of CBM) Rt. 4 Box 171-16, Bladfield, WV 24201	1/5	0.8800	100.0%	0.8800	1.65409%
4		James Lee Boyd (court order adjudicating 100% ownership of CBM) P.O. Box 907, Raven, VA 24619	1/5	0.8800	100.0%	0.8800	1.65409%
	2A	Coal Mountain Mining Co. Limited Partnership LLP - Coal P.O. Box 673, Tazewell, VA 24651	court order	-----	-----	-----	-----
	2N	Tract 2N (total acreage)	2.17				
	2N	Sterling Hall, et al / Ida Hall Shreve Heirs / Elsie Shreve Osborne Heirs - O & G					
1	2N	Sylvia A. Shelton Byrd 549 Jacks Creek Road, Raven, VA 24639	1/504	0.0043	50.0%	0.0022	0.00440%
2	2N	Coal Mountain Mining Co. Limited Partnership LLP - Coal P.O. Box 673, Tazewell, VA 24651	combined	0.0043	50.0%	0.0022	0.00440%
	2O	Tract 2O (total acreage)	7.23				
1	2O	Robert E. Cordill (court order adjudicating 100% ownership of CBM) P.O. Box 87, Raven, VA 24619	1	7.2300	100.0%	7.2300	13.5562%
	2O	Coal Mountain Mining Co. Limited Partnership LLP - Coal P.O. Box 673, Tazewell, VA 24651	court order	-----	-----	-----	-----

BK111090435

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
2. The Escrow Agent is ordered to continue the Escrow Account for the Subject drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and **IT IS SO ORDERED.**

APPEALS:

Appeals of this Order are governed by the provisions of the *Code of Virginia* § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

Effective Date:

This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 16 day of Feb, 2012, by a majority of the Virginia Gas and Oil Board.


Bradley C. Lambert, Chairman
Virginia Gas and Oil Board

DONE AND PERFORMED this 16th day of Feb., 2012 BY Order of the Virginia Gas and Oil Board.


Rick Cooper, Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL)

Acknowledged on this 16th day of Feb, 2012, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board, that they executed the same and were authorized to do so.




Diane J. Davis, Notary Public #174394

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

BK 1110PG01006

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 02-0521-1029-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 2A, 2N, and 2O
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: August 16, 2011

DRILLING UNIT: EE-38

TAZEWELL COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. Petitioner and its counsel: Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, SWARTZ LAW OFFICES, PLLC., 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

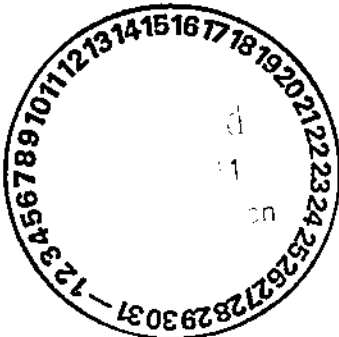
2. Relief sought: (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 2A, 2N, and 2O as depicted upon the annexed Exhibit A-1; and (2) authorization to begin paying royalties directly to the prevailing plaintiffs; Carol Jean Asher, Charles Walter Boyd, Linda D. Cordill Dunbar, Freda Gail Thomas, James Lee Boyd and Robert E. Cordill In addition, authorization to begin paying royalties directly to the parties to the royalty split agreement between Coal Mountain Mining Co., LLP and Sylvia A. Shelton Byrd

3. Legal Authority: Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of well(s): Coalbed methane.

5. Factual basis for relief requested : Carol Jean Asher, Charles Walter Boyd, Linda D. Cordill Dunbar, Freda Gail Thomas, James Lee Boyd and Robert E. Cordill are entitled to 100% of the royalties according to the Order which was entered on June 15, 2011, Case No:CL11-510, adjudicating the ownership of coalbed methane gas. This order allows the Applicant and Designated Operator to pay royalties directly to the prevailing plaintiffs identified in Exhibit EE annexed hereto and the annexed Exhibit A-1, further, specifies how said royalties are to be paid. In addition, authorization to begin paying royalties directly to the parties to the royalty split agreement(s) between Coal Mountain Mining Co., LLP and Sylvia A. Shelton Byrd have entered into a royalty split agreement(s). The annexed Exhibit A-1, further, specifies how said royalties are to be divided and paid.

6. Attestation: The foregoing Petition to the best of my knowledge, information, and belief is true and correct.



CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By:

Anita D. Duty
Pooling Supervisor
Consol Energy Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

BK 1110PG0437

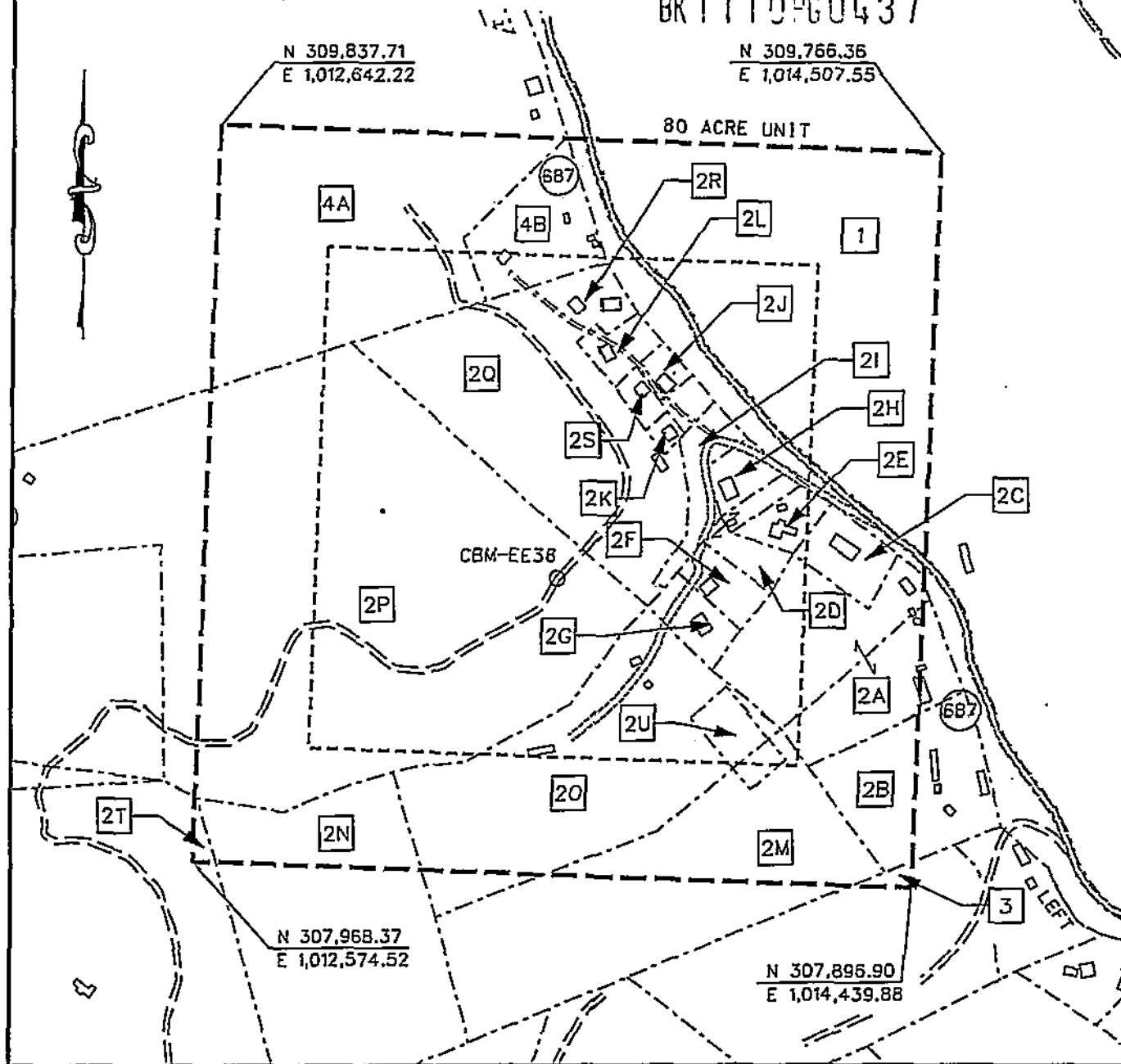


EXHIBIT A
OAKWOOD FIELD UNIT EE-38
FORCE POOLING
VGOB-02-0521-1029-01

Company CNX Gas Company, LLC. Well Name and Number UNIT EE38
Tract No. _____ Elevation _____ Quadrangle Keen Mountain
County Tazewell District Maiden Springs Scale: 1" = 400' Date 9 DEC 03
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

04602338011

BK 1110PG0438

CNX Gas Company LLC

UNIT EE-38

Tract Identifications

1. Commonwealth Coal Company (May & Painter Tr.) - Fee
Reserve Coal Properties Co. - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - Oil, Gas and Oil Leased
(Map 84 Parcel 122A)
14.86 acres 18.5750%

- 2A. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Walter H. Boyd, et al. - Surface and All Minerals except Coal
(Map 84 Parcel 96)
4.40 acres 5.5000%

- 2B. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
James T. Absher - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Map Tax 84 Parcel 95)
1.45 acres 1.8125%

- 2C. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Bobby Johnson - Surface and All Minerals except Coal
(Tax Map 84 Parcel 96)
0.80 acres 1.0000%

- 2D. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Harvey and Ida Cordill Heirs - Surface and All Minerals except Coal
(Tax Map 84 Parcel 97)
0.67 acres 0.8375%

- 2E. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
William Sullivan, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 113)
0.50 acres 0.6250%

BK 1110960439
CNX Gas Company LLC
UNIT EE-38
Tract Identifications

- 2F. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Lawrence Cordill, et ux. - Surface and All Minerals except Coal
(Tax Map 84 Parcel 113)
0.56 acres 0.7000%
- 2G. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
William Cordill, et ux. - Surface and All Minerals except Coal
(Tax Map 84 Parcel 117)
0.62 acres 0.7750%
- 2H. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Gary Cordill, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (50%)
(Tax Map 84 Parcel 116)
0.49 acres 0.6125%
- 2I. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Knox Creek Coal Corporation, et al. - Surface and All Minerals except Coal
(Tax Map 84 Parcel 115)
0.81 acres 1.0125%
- 2J. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
David Cordill, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84 Parcel 122A)
0.49 acres 0.6125%
- 2K. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Harold J. Rose, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84 Parcel 118)
0.13 acres 0.1625%

GK 1110960440
CNX Gas Company LLC
UNIT EE-38
Tract Identifications

- 2L. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Buford Sisk, et ux. - Surface and All Minerals except Coal
(Tax Map 84 Parcel 115)
0.46 acres 0.5750%
- 2M. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Earl J. Cordill, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 93)
3.54 acres 4.4250%
- 2N. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Sterling Ball, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (%)
(Tax Map 84 Parcel 92)
2.17 acres 2.7125%
- 2O. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Robert Edward Cordill - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 92A)
7.23 acres 9.0375%
- 2P. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
James T. Absher - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 2)
21.21 acres 26.5125%
- 2Q. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
James T. Absher - Surface and All Minerals except Coal
CNX Gas Company LLC Oil, Gas and CBM Leased
(Tax Map 84 Parcel 106)
7.16 acres 8.9500%

BK 1110PG0441

CNX Gas Company LLC

UNIT EE-38

Tract Identifications

- 2R. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Otis Johnson, et ux. - Surface and All Minerals except Coal
(Tax Map 84 Parcel 109)
0.64 acres 0.8000%
- 2S. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Doris Rose - Surface and All Minerals except Coal
CNX Gas Company LLC Oil, Gas and CBM Leased
(Tax Map 84 Parcel 115)
0.24 acres 0.3000%
- 2T. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Jerry T. Absher, et ux. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 99)
0.11 acres 0.1375%
- 2U. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Robert Edward Cordill - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 106)
0.14 acres 0.1750%
3. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Betty J. Short, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 94)
0.12 acres 0.1500%

BK 1110PG0442

**CNX Gas Company LLC
UNIT EE-38**

Tract Identifications

4. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 56 – All Minerals
Consolidation Coal Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
(Tax Map 84 Parcel 4)
11.20 acres 14.0000%
- 4A. James T. Absher – Surface (Tax Map 84 Parcel 106)
- 4B. Elmer Hilton – Surface (Tax Map 84 Parcel 117)

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0443

	Acres in Unit	Interest in Unit
<u>Tract #2A, 4.40 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	4.40 acres	5.5000%
<u>OIL & GAS OWNERSHIP</u>		
(1) Walter H. Boyd, et al.	4.40 acres	5.5000%
(c) Charles Walter Boyd 3148 Fork Ridge Road Raven, VA 24639 once a w-9 is received, a new petition will be filed for release of escrow funds	0.88 acres 1/5 of 4.40 acres	1.1000%
Note: CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 11-510 The Order was executed June 15, 2011 and plaintiffs were awarded 100% of the Coalbed Methane Gas underlying this tract.		
<u>Tract #2B, 1.45 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.45 acres	1.8125%
<u>OIL & GAS OWNERSHIP</u>		
(1) James T. Absher P.O. Box 385 Raven, VA 24639	1.45 acres	1.8125%
<u>Tract #2C, 0.80 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.80 acres	1.0000%
<u>OIL & GAS OWNERSHIP</u>		
(1) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.80 acres	1.0000%

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0444

	Acres in Unit	Interest in Unit
<u>Tract #2D, 0.67 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.67 acres	0.8375%
<u>OIL & GAS OWNERSHIP</u>		
(1) William Cordill, et al <i>(AKA Harvey & Ida Cordill Heirs, Devisees, Successors or Assigns)</i>	0.67 acres	0.8375%
(a) David Lee Cordill P.O. Box 330 Doran, VA 24612	0.07 acres 1/9 of 0.67 acres	0.0931%
(b) Earl Cordill, Jr. P.O. Box 421 Pounding Mill, VA 24637	0.07 acres 1/9 of 0.67 acres	0.0931%
(c) Gary Cordill 215 Bentwood Road Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(d) Larance Damon Cordill 289 Bentwood Road Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(e) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(f) William Cordill 215 Bentwood Road Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(g) Nancy C. Ball HC61 Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(h) Janey Joyce Stilwell 162 Valley Drive Richlands, VA 24641	0.07 acres 1/9 of 0.67 acres	0.0931%
(i) Hazel E. Sullivan P.O. Box 35 Red Ash, VA 24640	0.07 acres 1/9 of 0.67 acres	0.0931%

Tract #2E, 0.50 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.50 acres	0.6250%
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Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0445

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) William Sullivan, et ux. P.O. Box 35 Red Ash, VA 24640	0.50 acres	0.6250%
<u>Tract #2F, 0.56 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.56 acres	0.7000%
<u>OIL & GAS OWNERSHIP</u>		
(1) Lawrence Cordill, et ux. 289 Brentwood Rd. Raven, VA 24639	0.56 acres	0.7000%
<u>Tract #2G, 0.62 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.62 acres	0.7750%
<u>OIL & GAS OWNERSHIP</u>		
(1) William Cordill, et ux. Star Route 44 Raven, VA 24639	0.62 acres	0.7750%
<u>Tract #2H, 0.49 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.49 acres	0.6125%
<u>OIL & GAS OWNERSHIP</u>		
(1) Gary Cordill, et al.	0.49 acres	0.6125%
(a) Gary Cordill 215 Bentwood Road Raven, VA 24639	<i>Life Estate</i>	
(b) David Lee Cordill P.O. Box 330 Doran, VA 24612	0.12 acres 1/4 of 0.49 acres	0.1531%

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0446

	Acres in Unit	Interest in Unit
(c) Larance Damon Cordill 289 Bentwood Road Raven, VA 24639	0.12 acres 1/4 of 0.49 acres	0.1531%
(d) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.12 acres 1/4 of 0.49 acres	0.1531%
(e) Janey Joyce Stilwell 162 Valley Drive Richlands, VA 24641	0.12 acres 1/4 of 0.49 acres	0.1531%

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.81 acres	1.0125%
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OIL & GAS OWNERSHIP

(1) Knox Creek Coal Corporation, et al. c/o A.T. Massey P.O. Box 519 Raven, VA 24639	0.81 acres	1.0125%
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Tract #2J, 0.49 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.49 acres	0.6125%
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OIL & GAS OWNERSHIP

(1) David Cordill, et ux. P.O. Box 330 Doran, VA 24612	0.49 acres	0.6125%
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Tract #2L, 0.46 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.46 acres	0.5750%
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OIL & GAS OWNERSHIP

(1) Buford Sisk, et ux. Rt.1 Box 223 Raven, VA 24639	0.46 acres	0.5750%
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Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110760447

	Acres in Unit	Interest in Unit
<u>Tract #2M, 3.54 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.54 acres	4.4250%
<u>OIL & GAS OWNERSHIP</u>		
(1) Earl J. Cordill, et ux. P.O. Box 421 Doran, VA 24612	3.54 acres	4.4250%
<u>Tract #2N, 2.17 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.17 acres	2.7125%
<u>OIL & GAS OWNERSHIP</u>		
Sterling Ball, et al.	2.17 acres	2.7125%
(1) Sterling Ball 2580 West Mountain Street Kernersville, NC 27284	0.3100 acres 1/7 of 2.17 acres	0.3875%
(2) Charlotte Ball Compton 1280 Timbercliff Mansfield, OH 44907	0.3100 acres 1/7 of 2.17 acres	0.3875%
(3) Lenwood Ball (Lenward) Heirs, Devisees, Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.3100 acres 1/7 of 2.17 acres	0.3875%
(4) Exie Ball Johnson Heirs, Devisees, Successors or Assigns		
(a) Marvin Cline 159 Dakota Drive Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(b) Anna Mae Absher 757 Fork Ridge Rd. Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(c) Otis Johnson 6641 Banner Lake Circle, Apt. 9203 Orlando, FL 32821	0.0238 acres 1/91 of 2.17 acres	0.0298%
(d) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0448

	Acres in Unit	Interest in Unit
(e) Johnny Johnson 138 Almond Lane Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(f) Harold Cline P.O. Box 660 Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(g) Peggy Burke (Ford) 241 Birch St. Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(h) Betty Lawson Heirs, Devisees, Successors or Assigns		
(h.1) Donnie B. Lawson, Jr. Address Unknown	0.0079 acres 1/273 of 6.75 acres	0.0099%
(h.2) James Lawson Address Unknown	0.0079 acres 1/273 of 6.75 acres	0.0099%
(h.3) Ivy Houchins 712 Shamrock Rd. Charlottesville, VA 22903	0.0079 acres 1/273 of 6.75 acres	0.0099%
(i) Ruth Short PO Box 291 Doran, VA 24612	0.0238 acres 1/91 of 2.17 acres	0.0298%
(j) Lucille Sisk PO Box 275 Pounding Mill, VA 24637	0.0238 acres 1/91 of 2.17 acres	0.0298%
(k) Lois Mays Rt. 1 Box 603 Swords Creek, VA 24649	0.0238 acres 1/91 of 2.17 acres	0.0298%
(l) Maxine Ward Box 26 Red Ash, VA 24640	0.0238 acres 1/91 of 2.17 acres	0.0298%
(m) Roger Johnson Heirs, Devisees, Successors or Assigns		
(m.1) Nancy Johnson Heirs, Devisees, Successors or Assigns		
(m.1.1) Ralph Randall Johnson 116 Hopkins St. N. Tazewell, VA 24630	0.0119 acres 1/182 of 2.17 acres	0.0149%
(m.1.2) Nancy Carol Sharp 21 Cottonwood Lane Hill Hillsville, VA 24343	0.0119 acres 1/182 of 2.17 acres	0.0149%
(5) Raleigh Ball Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0449

	Acres in Unit	Interest in Unit
(a) June Horn Heirs, Devisees, Successors or Assigns		
(a.1) Gary Horn Box 528 Cedar Bluff, VA 24609	0.0111 acres 1/196 of 2.17 acres	0.0138%
(a.2) Michael Horn 2173 Old Hwy. 19 Cedar Bluff, VA 24609	0.0111 acres 1/196 of 2.17 acres	0.0138%
(a.3) Gerald Horn 1109 Harbor St. Cedar Bluff, VA 24609	0.0111 acres 1/196 of 2.17 acres	0.0138%
(a.4) Rita Wimmer PO Box 12 Pounding Mill, VA 24637	0.0111 acres 1/196 of 2.17 acres	0.0138%
(b) Ola Gay Vandyke 134 Scotch Rd. Raven, VA 24639	0.0443 acres 1/49 of 2.17 acres	0.0554%
(c) Herby Ball 125 Albert Rd. Stokesdale, NC 27357	0.0443 acres 1/49 of 2.17 acres	0.0554%
(d) Hermas Ball 8609 McGuire Rd. (PO Box 841) Kemersville, NC 24284	0.0443 acres 1/49 of 2.17 acres	0.0554%
(e) Betty Hinkle P.O. Box 2326 Cedar Bluff, VA 24609	0.0443 acres 1/49 of 2.17 acres	0.0554%
(f) Raleigh Ball, Jr. 405 River Birch Drive Vass, NC 28394	0.0443 acres 1/49 of 2.17 acres	0.0554%
(g) Irean Bostic Heirs, Devisees, Successors or Assigns		
(g.1) John L. Bostic Address Unknown	Life Estate	
(g.2) Greg Bostic 553 Cedar Creek Dr. Pounding Mill, VA 24631	0.0443 acres 1/49 of 2.17 acres	0.0554%
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns		
(a) Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.0388 acres 1/56 of 2.17 acres	0.0484%

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0450

	Acres in Unit	Interest in Unit
(b) Exie Osborne Heirs, Devisees, Successors or Assigns		
(b.1) John Lee Osborne Box 6 Shortt Gap, VA 24647	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.2) Maxie Boyd Box 972 Raven, VA 24639	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.4) Judy Blankenship Box 221 Doran, VA 24612	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.5) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.0078 acres 1/280 of 2.17 acres	0.0097%
(c) Arthur M. Stilwell PO Box 314 Raven, VA 24639	0.0388 acres 1/56 of 2.17 acres	0.0484%
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns		
(d.1) Arlin W. Osborne Heirs, Devisees, Successors or Assigns		
(d.1.1) Mary Jane Osborne PO Box 466 Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.2) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.3) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.4) Hubbard Osborne 3195 Osborne Mtn. Rd. Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.5) Jackie D. Osborne 1995 Altizer Rd. Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.6) Jerline Davis 118 Coronado Rd. N. Tazewell, VA 24630	0.0043 acres 1/504 of 2.17 acres	0.0054%

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0451

	Acres in Unit	Interest in Unit
(d.8) Lois Casey 134 Robert St, Lot 8 Richlands, VA 24641	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.9) Linda S. Shelton PO Box 521 Pounding Mill, VA 24637	0.0043 acres 1/504 of 2.17 acres	0.0054%
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns		
(e.2) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.3) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.4) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.5) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.6) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f) Charles Stilwell Heirs, Devisees, Successors or Assigns		
(f.1) Bernadine R. Lisburg 1121 29th St. N Fargo, ND 58102-3158	<i>Life Estate</i>	
(f.2) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.3) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.4) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.5) Gladys E. Pollert 1211 29th Street North Fargo, ND 58102	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.6) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.0065 acres 1/336 of 2.17 acres	0.0081%

Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0452

	Acres in Unit	Interest in Unit
(f.7) Bernice R. Lamb 2124 Country Road 116 International Falls, MN 56649	0.0065 acres 1/336 of 2.17 acres	0.0081%
(g) Elmer Stilwell Heirs, Devisees, Successors or Assigns		
(g.1) Virginia N. Stilwell, widow 1106 Dial Rd. Raven, VA 24639	0.0388 acres 1/56 of 2.17 acres	0.0484%
(h) Raleigh Stilwell Heirs, Devisees, Successors or Assigns		
(h.1) Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.0388 acres 1/56 of 2.17 acres	0.0484%
(7) John Ball Heirs, Devisees, Successors or Assigns		
(a) Goldie Ball Compton <i>Address Unknown</i>	0.1550 acres 1/14 of 2.17 acres	0.1938%
(b) Judith Compton <i>Address Unknown</i>	0.0775 acres 1/28 of 2.17 acres	0.0969%
(c) Clayton Compton <i>Address Unknown</i>	0.0775 acres 1/28 of 2.17 acres	0.0969%

Tract #2P, 21.21 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	21.21 acres	26.5125%
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OIL & GAS OWNERSHIP

(1) James T. Absher P.O. Box 385 Raven, VA 24639	21.21 acres	26.5125%
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Tract #2Q, 7.16 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	7.16 acres	8.9500%
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Exhibit E
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0453

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) James T. Absher P.O. Box 385 Raven, VA 24639	7.16 acres	8.9500%
<u>Tract #2R, 0.64 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.64 acres	0.8000%
<u>OIL & GAS OWNERSHIP</u>		
(1) Otis Johnson, et ux. HC62 Box 49 Raven, VA 24639	0.64 acres	0.8000%
<u>Tract #2U, 0.14 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.14 acres	0.1750%
<u>OIL & GAS OWNERSHIP</u>		
(1) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.14 acres	0.1750%

Exhibit EE
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants with Royalty Split Agreements

BK 1110PG0454

	Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #2A, 4.40 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	4.40 acres	5.5000%	n/a
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OIL & GAS OWNERSHIP

(1) Walter H. Boyd, et al.	4.40 acres	5.5000%	
(a) Walter H. & Mabel Marie Boyd HC Box 41 Raven, VA 24639	<i>Life Estate</i>		
(b) Carol Jean Asher P.O. Box 907 Raven, VA 24639	0.88 acres 1/5 of 4.40 acres	1.1000%	1.6500%
(d) Linda D. Cordill Dunbar 1650 Stanaford Road Beckley, WV 25801	0.88 acres 1/5 of 4.40 acres	1.1000%	1.6500%
(e) Freda Gail Thomas Rt4 Box 173-16 Bluefield, WV 24701	0.88 acres 1/5 of 4.40 acres	1.1000%	1.6500%
(f) James Lee Boyd PO Box 907 Raven, VA 24639	0.88 acres 1/5 of 4.40 acres	1.1000%	1.6500%

**Note: CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 11-510
The Order was executed June 15, 2011 and plaintiffs were awarded 100% of the
Coalbed Methane Gas underlying this tract.**

Tract #2K, 0.13 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.13 acres	0.1625%	n/a
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OIL & GAS OWNERSHIP

(1) Harold J. & Doris A. Rose Heirs, Devisees, Successors or Assigns	0.13 acres	0.1625%	
(a) Patricia Ann Osborne 878 Pardee St. Johnson City, TN 37601	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a
(b) Larry Allen Rose, I PO Box 425 Pounding Mill, VA 24637	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a

List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
(c) Ricky B. Rose PO Box 995 Raven, VA 24639	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a
(d) David Keith Rose 1825 Flat Hollow Road Pearisburg, VA 24134	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a

Tract #2N, 2.17 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.17 acres	2.7125%	0.0040%
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OIL & GAS OWNERSHIP

Sterling Ball, et al.	2.17 acres	2.7125%	
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns			
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns			
(d.7) Sylvia A. Shelton Byrd 549 Jacks Creek Road Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%	0.0040%
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns			
(e.1) Jay C. Stilwell Heirs, Devisees, Successors or Assigns			
(e.1.2) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.0065 acres 1/336 of 2.17 acres	0.0081%	n/a

Tract #2O, 7.23 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	7.23 acres	9.0375%	n/a
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OIL & GAS OWNERSHIP

(1) Robert E. Cordill P.O. Box 87 Raven, VA 24639	7.23 acres	9.0375%	13.5562%
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Note: CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 11-510
The Order was executed June 15, 2011 and plaintiffs were awarded 100% of the
Coalbed Methane Gas underlying this tract.

Exhibit EE
Unit EE-38
Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants with Royalty Split Agreements

BK 1110PG0456

	Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #2S, 0.24 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.24 acres	0.3000%	n/a
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OIL & GAS OWNERSHIP

(1) Harold J. & Doris A. Rose Heirs, Devises, Successors or Assigns	0.24 acres	0.3000%	
(a) Patricia Ann Osborne 878 Pardee St. Johnson City, TN 37601	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
(b) Larry Allen Rose, I PO Box 425 Pounding Mill, VA 24637	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
(c) Ricky B. Rose PO Box 995 Raven, VA 24639	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
(d) David Keith Rose 1825 Flat Hollow Road Pearisburg, VA 24134	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a

Tract #2T, 0.11 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.11 acres	0.1375%	n/a
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OIL & GAS OWNERSHIP

(1) Jerry T. Absher, et ux. 4276 Roadridge TPK Raven, VA 24639	0.11 acres	0.1375%	n/a
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Note: CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 11-461
The Order was executed May 6, 2011 and plaintiffs were awarded 100% of the
Coalbed Methane Gas underlying this tract.

Tract #3, 0.12 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.12 acres	0.1500%	n/a
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Docket #VGOB 02-0521-1029-03
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(a) Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	0.12 acres	0.1500%	
<i><u>Royalties should be paid as follows:</u></i>			
Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	0.09 acres 3/4 of 0.12 acres	0.1125%	n/a
Russell Bryan Rakes 1716 Green Mountain Road Cedar Bluff, VA 24609	0.03 acres 1/4 of 0.12 acres	0.0375%	n/a

By Deed of Gift dated 4/9/11, Russell Bryan Rakes conveyed his 25% ownership inherited from Charles G. Rakes to Betty J. Short. (DB1092/PG708). In exchange, Betty J. Short assigned Russell Bryan Rakes a 25% royalty interest, executed 5/5/11.

Note: CBM ownership was adjudicated to the prevailing plaintiff under Case no. CL 11-206
The Order was executed March 11, 2011 and plaintiff was awarded 100% of the
Coalbed Methane Gas underlying this tract.

Exhibit A-1
Tract-by-Tract Escrow Calculation
 Account Balances as of 6/30/11

Unit EE38
 VGOB 02-0521-1029-03
 Acres Escrowed: 53.33350

Owners	Tract #	Acres	Interest	Owners' Percent of Escrow	Amount Due Owners
					\$278,104.65
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					
Walter H. Boyd, et al - O & G	2a	4.40		8.2500%	\$22,943.56
Walter H. & Mabel Marie Boyd			Life Estate		
Carol Jean Asher			1/5	1.6500%	\$4,588.71
Linda D. Cordill Dunbar			1/5	1.6500%	\$4,588.71
Freda Gail Thomas			1/5	1.6500%	\$4,588.71
James Lee Boyd			1/5	1.6500%	\$4,588.71
Coal Mountain Mining Co. Limited Partnership, LLP - Coal		2.18350		0.0040%	\$11.23
Sterling Ball, et al - O&G	2n	2.17			
Sylvia A. Shelton Byrd			1/504	0.0040%	\$11.23
Coal Mountain Mining Co. Limited Partnership, LLP - Coal					
Robert E. Cordill - O&G	2o	7.23		13.5562%	\$37,700.44

Wells contributing to the escrow account: EE38 and EE38A

Note: Tracts 2t, and 3 have been subtracted from the total amount in escrow.
 These tracts were approved for disbursement June 14, 2011 by the Board

note on 7/12/11 version:
 "Send checks to Sheri Cook
 for all but Sylvia Byrd"

VIRGINIA: IN THE CIRCUIT COURT OF TAZEWEEL COUNTY

DAVID SHORT,
ROBERT CORDILL,
MABEL MARIE BOYD,
JAMES LEE BOYD,
CHARLES WALTER BOYD,
CAROL JEAN ABSHER
LINDA D. CORDILL, AND
FREDA GAIL THOMAS

BK 1110PG0459

Plaintiff,

v.

Case No.: 11-510

COAL MOUNTAIN MINING
COMPANY, LLP.,

Defendants.

TAZEWEEL COUNTY FIELD UNIT EE-38 FORCED POOLED VGOB-02-0521-1029-01:
Plaintiffs, in this unit, are Robert Cordill, James Lee Boyd, Charles Walter Boyd, Carol Jean Absher, Linda D. Cordill, and Freda Gail Thomas.

TAZEWEEL COUNTY FIELD UNIT FF-38 FORCED POOLED VGOB-03-1021-1207:
Plaintiffs, in this unit, are Robert Cordill only.

ORDER

This date came the parties to this action, by counsel, upon Plaintiffs Petition pursuant to the Declaratory Judgment Act, Virginia Code Section 8.01-184, whereby Plaintiffs moved the Court to declare their ownership of coal bed methane. The parties hereto, by counsel, represented unto the Court that they had reached a compromise in this matter to the effect that as under current case law, between the Plaintiffs and the Defendant, the Plaintiffs are the owners of the coal bed methane gas contingent upon their ownership of the natural gas under the lands described in said Petition and that said Plaintiffs, as such and between the parties hereto, under current case law, are entitled to any funds held in escrow by the Virginia Gas and Oil Board, and any royalties which may accrue in the future as a result

of the production of said coal bed methane gas or natural gas.

BK 1110PG0460

It appearing that Robert Cordill is the owner of a tract of property located on Ridge Road in the Doran section of Tazewell County by Deed dated October 9, 1985, at Deed Book 541, page 342 in the Tazewell County Circuit Court, Tax map number 084-01-0002; that Mabel Marie Boyd, Carol Jean Boyd, Charles Walter Boyd, Linda D. Boyd, Freda Gail Boyd, and James Lee Boyd, are the joint owners of a tract of property located on the waters of the west fork of coal creek in Tazewell County by Deed dated August 16, 1962, at Deed Book 300, page 569, in the Tazewell County Circuit Court, Tax map number 084-A-0121; and that the Defendant described herein is the owner of the coal only, as to the property herein described.

Upon consideration of the aforesaid representations, it is hereby ADJUDGED, ORDERED AND DECREED as follows:

1. As between the Plaintiffs and the Defendant, under current case law the Plaintiffs are the owners of the coal bed methane gas under the land described above, based upon their ownership of the gas estate hereon and are entitled to any funds held in escrow by the Virginia Oil and Gas Board for units EE-38 and FF-37, as well as being entitled to any royalties generated in the future arising from the production of coal bed methane or other natural gas produced pursuant to the previously referenced pooling orders, all as in proportion to their interests owned and subject to only royalty split agreements.

2. The Virginia Oil and Gas Board is directed to forthwith order payment of all principal sums and accrued interest on royalties previously deposited into the escrow account maintained by the Virginia Oil and Gas Board.

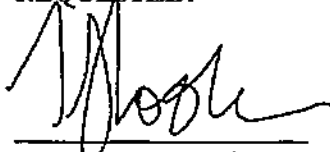
3. David Short's claim relative to Unit EE-38 is non-suited.

There being nothing further for consideration this matter, the Court orders the Clerk to provide a tested copy of this Order to Counsel for the Plaintiffs and for the Defendant, in this matter is stricken from the active docket.

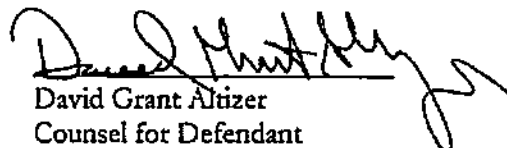
Entered this 15th day of June, 2011.

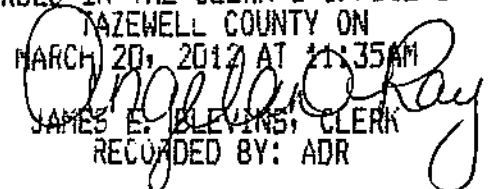

JUDGE

REQUESTED:


Terrence Shea Cook
Counsel for Plaintiffs

SEEN WITHOUT OBJECTION:


David Grant Altizer
Counsel for Defendant

INSTRUMENT #120000963
RECORDED IN THE CLERK'S OFFICE OF
TASZEWELL COUNTY ON
MARCH 20, 2012 AT 11:35AM

JAMES E. BLEVINS, CLERK
RECORDED BY: ADR